

002.00270

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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|-------------|-------------------------|---|-----------|
| Applicants: | David Hardie et al. |) | |
| Serial No.: | 10/565,058 |) | Examiner: |
| | (National Stage of |) | |
| | PCT/GB2004/003096) |) | Art Unit: |
| Filed: | July 16, 2004 |) | |
| For: | METHODS FOR USE OF AN |) | |
| | LKB1/STRAD7M025 COMPLEX |) | |

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24 JUL 2006

REQUEST FOR REFUND OF FEESLegal Staff
International Division**VIA FACSIMILE 1-571-273-0459**

MS PCT LEGAL ADMINISTRATION
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) ("Notice") regarding the above-identified patent application, supplemental fees of \$1260 were listed as due. For the reasons as listed in the Communication submitted concurrently with the Response to the Notice ("the Communication") (dated June 21, 2006), Applicants did not believe these additional fees are due. Applicants note that supplemental fees of \$1010 relating to the Notice were charged to the undersigned attorneys' Deposit Account on June 29, 2006. Applicants maintain that such fees are not proper for the reasons as listed in the Communication and further set out below. Accordingly, applicants request a refund of the fees charged to Deposit Account 50-0772 on June 29, 2006. ~~09/24/2006 SHELS-60000000-500772 10565058~~
case. 01 FC:1601 250.00 DA

The Notice indicated that \$400 was due for 7 additional independent claims. Applicants note that, as per the preliminary amendment filed on January 17, 2006 (submitted with the submission under 35 U.S.C. 371) ("Preliminary

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Amendment"), independent claims are claims 1, 3, 6, 10, 25, 27, 33 and 35. Thus, there are a total of 8 independent claims, for which an additional \$1000 was paid. As there are only 8 independent claims, Applicants believe no other additional fees were due for independent claims. Thus, applicants believe that the charge for \$400 was incorrect.

The Notice indicated that an additional \$250 was due for additional claims over 20. As per the Preliminary Amendment, claim 13, 15, 17, 18 and 30 were canceled, leaving 30 total claims. An additional \$500 was paid for the 10 claims over 20, accordingly, applicants believe that no other additional fees are due for additional claims over 20. Thus, applicants believe that the charge for \$250 was incorrect.

The Notice indicated that a fee of \$360 was due for a multiple dependent claim surcharge. All multiple dependencies were removed in the Preliminary Amendment, accordingly, applicants believe that no fee is due for multiple dependent claims. Thus, applicants believe that the charge for \$360 was incorrect.

Because applicants believe that no additional fees were due, applicants request a refund of the fees charged to Deposit Account 50-0772 on June 29, 2006 (Posting Ref. Txt 10565058). The Commissioner is hereby authorized to credit any refunded fees to Deposit Account No. 50-0772.

Respectfully submitted,

July 24, 2006
Date

Karla M. Weyand

Karla M. Weyand

Reg. No. 40, 02/25/2006 SBASHEIR
06/29/2006 KRAYPACH 00000133 580772 10565058
07/17/2006 KRAYPACH 00000133 580772 10565058
01 FC:1614 486.00 CR

Adjustment Date: 07/26/2006 SBASHEIR
06/29/2006 KRAYPACH 00000133 580772 10565058
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*** RX REPORT ***

RECEPTION OK

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